

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SERGIO LOVATI, et al.,

Plaintiffs,

v.

THE BOLIVARIAN REPUBLIC OF
VENEZUELA,

Defendant.

Case No. 1:19-CV-04793 (ALC)

**DEFENDANT BOLIVARIAN REPUBLIC OF VENEZUELA’S
ANSWER TO THE COMPLAINT**

Defendant Bolivarian Republic of Venezuela (“the Republic”) hereby answers the Complaint dated May 23, 2019 (D.E. 1), and states as follows¹:

1. The Republic admits that it issued bonds in 2001 pursuant to a fiscal agency agreement (“the 2001 FAA”) and that the 2001 FAA is a contract among Venezuela and Banco Central de Venezuela, as official financial agent, and Deutsche Bank AG and Deutsche Bank Trust Company Americas (formerly Bankers Trust Company), as fiscal agents and principal paying agents, dated July 25, 2001. The remaining allegations in Paragraph 1 interpret and characterize the terms of the 2001 FAA, and on that basis the Republic denies the allegations and directs the Court to the terms of the 2001 FAA itself. To the extent Paragraph 1 makes additional factual allegations, the Republic is without knowledge or information sufficient to admit or deny them and on that basis denies the allegations. The final two sentences of Paragraph 1 describe the Complaint and characterize the demands set forth therein and do not require a response.

¹ To the extent that any of the section headings in the Complaint makes factual allegations, the Republic denies those allegations.

2. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 2 and on that basis denies the allegations.

3. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 3 and on that basis denies the allegations.

4. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 4 and on that basis denies the allegations.

5. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 5 and on that basis denies the allegations.

6. Paragraph 6 states legal conclusions that do not require a response. To the extent that Paragraph 6 makes any factual allegations, the Republic denies the allegations.

7. Paragraph 7 states legal conclusions that do not require a response. To the extent that Paragraph 7 makes any factual allegations, the Republic denies the allegations.

8. Paragraph 8 states legal conclusions that do not require a response. To the extent that Paragraph 8 makes any factual allegations, the Republic denies the allegations.

9. Paragraph 9 states legal conclusions that do not require a response. To the extent that Paragraph 9 makes any factual allegations, the Republic denies the allegations.

10. The Republic notes that the Venezuelan Consulate in New York has been closed, and on that basis it denies the allegations of Paragraph 10.

11. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 11 and on that basis denies the allegations.

12. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 12 and on that basis denies the allegations.

13. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 13 and on that basis denies the allegations.

14. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 14 and on that basis denies the allegations.

15. The Republic's responses to paragraphs 1 through 14 are incorporated by reference as though set forth fully herein.

16. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 16 and on that basis denies the allegations.

17. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 17 and on that basis denies the allegations.

18. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 18 and on that basis denies the allegations.

19. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 19 and on that basis denies the allegations.

20. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 20 and on that basis denies the allegations.

21. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 21 and on that basis denies the allegations.

22. The Republic's responses to paragraphs 1 through 14 are incorporated by reference as though set forth fully herein.

23. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 23 and on that basis denies the allegations.

24. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 24 and on that basis denies the allegations.

25. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 25 and on that basis denies the allegations.

26. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 26 and on that basis denies the allegations.

27. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 27 and on that basis denies the allegations.

28. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 28 and on that basis denies the allegations.

29. The Republic's responses to paragraphs 1 through 14 are incorporated by reference as though set forth fully herein.

30. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 30 and on that basis denies the allegations.

31. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 31 and on that basis denies the allegations.

32. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 32 and on that basis denies the allegations.

33. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 33 and on that basis denies the allegations.

34. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 34 and on that basis denies the allegations.

35. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 35 and on that basis denies the allegations.

36. The Republic's responses to paragraphs 1 through 14 are incorporated by reference as though set forth fully herein.

37. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 37 and on that basis denies the allegations.

38. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 38 and on that basis denies the allegations.

39. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 39 and on that basis denies the allegations.

40. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 40 and on that basis denies the allegations.

41. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 41 and on that basis denies the allegations.

42. The Republic is without knowledge or information sufficient to admit or deny the allegations of Paragraph 42 and on that basis denies the allegations.

With regard to the requests for relief on page 11 of the Complaint, the Republic is without knowledge or information sufficient to admit or deny the allegations of the Complaint and on that basis denies that Plaintiffs are entitled to any relief whatsoever.

Dated: July 19, 2021

Respectfully submitted,

/s/ Kent Yalowitz

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**Pro hac vice motion forthcoming*